

REMARKS

Claims 1, 2, 4, 7, 8, 11, 12, 14, 17, 18, and 21 are pending. Claims 1 and 11 have been amended. Claims 9, 10, 19, and 20 have been cancelled. No new matter has been introduced. Applicants have filed a Request for Continued Examination (RCE) herewith. Reexamination and reconsideration of this application are respectfully requested.

Claims 1-2, 4, 7-12, 14, and 17-21 were rejected under 35 U.S.C. §112, ¶1 as failing to comply with the written description requirement. Claims 1-2, 4, 7, 8, 10-12, 17-19, and 21 were rejected under 35 U.S.C. §103(a) as being obvious given U.S. Patent No. 4,847,542 to Clark ("Clark") in view of U.S. Patent Application Publication No. 2005/841253 to Fitzgibbon ("Fitzgibbon"). These rejections are respectfully overcome for at least the reasons discussed below.

35 U.S.C. §112, ¶1 rejection – claims 1-2, 4, 7-12, 14, and 17-21

Claims 1-2, 4, 7-12, 14, and 17-21 under 35 U.S.C. §112, ¶1 as failing to comply with the written description requirement. The Examiner stated that the claims contained subject matter that was not described in the specification. Specifically, the Examiner argued that the following limitation lacked support in claims 1 and 11: "wherein the receipt of the close signal from the close button automatically causes the controller to issue a close barrier signal at the output in order to close the barrier without the need to authenticate any user authorization code."

Applicants disagree with the Examiner's contention that the claims lack support. In particular, applicants submit that support for the limitation discussed above is present in the patent application and may be found at, for example, paragraphs 38 and 39, which recite (with emphasis added):

"[0038] The system 500 may be operated in both a secure and unsecured mode of operation. When the keypad 506 is used to move the door 508, the user may be required to enter an authorization code, for instance, a PIN number, in order to be able to use the system 500 to move the door 508. Alternatively, if the system 500 is unsecured, no authorization information need be received from the user via the keypad 506.

[0039] The specific action button 512 may be learned by the system 500. In this regard, a learn close button may be present on the keypad 506."

The Examiner also argued that claims 8, 9, 19, and 20 contain limitations that are contradictory to those of claims 1 and 11, respectively. Applicants have cancelled claims 8, 9, 19, and 20 and respectfully submit that the Examiner's rejection with respect to these claims is rendered moot.

Accordingly, applicants therefore submit that the rejection of claims 1-2, 4, 7, 10-12, 14, 17, 18, and 21 under 35 U.S.C. §112, ¶1 is overcome and should be withdrawn.

35 U.S.C. §103(a) rejection – claims 1-2, 4, 7, 8, 11, 12, 14, 17, 18, and 21 (Clark and Fitzgibbon)

Claims 1-2, 4, 7, 8, 11, 12, 14, 17, 18, and 21 were rejected under 35 U.S.C. §103(a) as being obvious given Clark in view of Fitzgibbon. The Examiner stated that Clark discloses an entry system for permitting authorized users to access a controlled area, the entry system including (a) a secure push-button or door push-button 115 generating a secure signal; (b) a house code device 113 or 123 for accepting a user authorization code; and (c) a motor controller. The Examiner stated that Clark fails to disclose that a close barrier signal is caused by a close button without the need to authenticate any user authorization code. However, the Examiner stated that Fitzgibbon discloses a garage door operator with a pushbutton 39 input to a controller 101 without code authentication. The Examiner argued that it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the teachings of Clark and Fitzgibbon in the direction of the claims.

Claim 1 as amended, recites (with emphasis added):

1. An entry control system for permitting authorized users to access a controlled area by moving a barrier, comprising:
 - a close button, the close button producing a close signal whenever the close button is actuated by a user;
 - an entry request device for accepting a user authorization code;
 - a controller operably coupled to the entry request device and the close button and having an output,
 - such that the controller receives and authenticates the user authorization code and wherein the close button and the entry request device are disposed in a housing, and the receipt of the close signal from the close button automatically causes the controller to issue a close barrier signal at the output in order to close the barrier without the need to authenticate any user authorization code.

Clark discloses a system where switches 115 and 117 are actuated and, when actuated, produce an RF signal. Clark, col. 3, lines 25-38. A transmitter 111 sends the signal (including a house code 113) to a receiver 122, which receives the signal. *Id.* The receiver

122 recognizes and will process the signal only if the signal contains the proper house code (i.e., the house code 113). Clark, col. 4, lines 19-30. If the house code is recognized, the signal may be used to move a door. *Id.*

However, the Clark reference does not first enable a controller and then wait to receive a close signal from a close button that closes a barrier without the need to authenticate additional user codes as is recited in claim 1. To the contrary, in the Clark system, a single signal is received by the receiver 122 and it is this signal that also activates the door. The single signal does not activate the receiver 122 for all future actuations of the switches 115 or 117. In fact, *the receiver 122 must be re-actuated each and every time for each received signal* and the signal *must also include the correct code* if the door is to be successfully moved.


Fitzgibbon does not make up for the deficiencies of Clark. Fitzgibbon discloses a garage door operator having a wall mounted push-button 39 that can be pressed to generate a command signal, CMD-P. A remote transmitter 24 can be utilized to generate a verified command signal, CMD-R. Based upon the receipt of CMD-P or CMD-R, logic 101 controls operation of door 14.

The combination of Clark and Fitzgibbon fails to suggest use of a *close button and an entry request device disposed in a housing*, where the close button automatically causes the controller to issue a close barrier signal at the output in order to *close the barrier without the need to authenticate any user authorization code*. Clark discloses only a system in which a code has to be authorized and Fitzgibbon discloses a simple push-button as is commonly used in a garage to open and close a garage door. There is no suggestion of including an entry request device for accepting an authorization code in a housing with the push button in the embodiment of Fitzgibbon and substantial modification would be required to do so.

Accordingly, claims 1 and 2, 4, 7, 8 depending therefrom, distinguish over Clark in combination with Fitzgibbon. Claims 11, 12, 14, 17, and 18 contain limitations similar to those of claim 1, and therefore also distinguish over Clark in combination with Fitzgibbon for reasons similar to those discussed above with respect to claim 1.

Applicants believe that the foregoing amendments place the application in condition for allowance, and a favorable action is respectfully requested. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Chicago telephone number (312) 577-7000 to discuss the steps necessary for placing the application in condition for allowance should the Examiner believe that such a telephone conference would advance prosecution of the application.

Respectfully submitted,

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